

REMARKS/ARGUMENTS

Favorable reconsideration of this Application, as presently amended and in light of the following discussion, is respectfully requested.

This Amendment is in response to the Office Action mailed on November 18, 2003. Claims 1-3 and 5-19 are pending in the application, Claims 1-3, 5-7, and 10-19 have been allowed, and Claims 8 and 9 stand rejected. The indication of allowable subject matter is noted with appreciation. Applicants have amended Claims 8 and 9.

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto (JP 11-095519, hereinafter "Fujimoto") in view of Yoshida et al. (U.S. Patent No. 5,602,633, hereinafter "Yoshida"). In addition, Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujimoto in view of Yoshida as applied to Claim 8, and further in view of Reese et al. (U.S. Patent No. 5,272,510, hereinafter "Reese").

Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representatives on January 20, 2004. During the interview, Applicants explained the advantages of the present invention in view of the teachings and disclosures of Fujimoto, Yoshida, and Reese, but no agreement was reached. The Examiner indicated on the interview summary (form PTO 413) that "the positioning of the plurality of image forming units, as contained in claim 8, with respect to each other was discussed in view of the prior art. Particularly, the positioning of the developing unit of an adjacent image forming unit with respect to the positioning of the cleaning unit of an image forming unit. Also, the substantially triangular waste container of claim 9 was discussed in view of Reese. The Examiner alleges that the waste container of Reese is substantially triangular. Changing claim 9 to state that the waste toner container is triangular was discussed, where this change would distinguish over the waste container as shown in Reese. However, the change to claiming that the waste toner container is triangular would require further search."

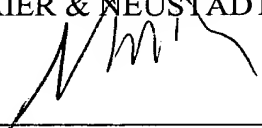
In view of the allowed subject matter of Claim 1, Claim 8 has been amended herein to recite, among other limitations, that the angle of inclination of the transfer belt device with respect to the ground is between 35° and 55°. Thus, based at least on the allowable subject matter, Applicants respectfully submit that the outstanding obviousness rejection of Claim 8 based on Fujimoto and Yoshida is now moot.

As to the rejection of Claim 9, that claim has been amended to recite that the cross-sectional shape of the toner waste container placed underneath the transfer belt is triangular. Based on the results of the interview and the present amendment, Applicants respectfully submit that the outstanding obviousness rejection of Claim 9 based on the combination of Fujimoto, Yoshida, and Reese is now also moot.

Based at least on the foregoing reasons, Applicants believe the present application is in condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599

Robert T. Pous
Registration No. 29,099
Attorneys of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)